

If Androids Dream, Are They More Than Sheep?: *Westworld*, Robots and Legal Rights

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ABSTRACT

The robot protagonists in HBO's *Westworld* open the door to several philosophical and ethical questions, perhaps the most complex being: should androids be granted similar legal protections as people? *Westworld* offers its own exploration of what it means to be a person and places emphasis on one's ability to feel and understand pain. With scientists and corporations actively working toward a future that includes robots that can display emotion in a way that can convincingly pass as that of a person's, what happens when androids pass the Turing test, feel empathy, gain consciousness, are sentient, or develop free will? The question becomes more complex given the possibility of computer error. What should happen if robots designed for companionship commit heinous crimes, and without remorse? *Westworld* poses such social and legal questions to its viewers and is, thus, ripe for classroom discussion. This essay explores the complex and contradictory implications of android hosts overcoming their dehumanization through an awakening to both experience and agency. With television and film holding a mirror up to reality, what can science fiction teach us that would help us prepare for such a possibility?

Keywords: *Westworld*, artificial intelligence, human rights, Science Fiction, robots

INTRODUCTION

In the opening scene of HBO's *Westworld*, the camera zooms in to what looks like a woman in a cold, sterile room. Dolores' eyes are lifeless. She is stiff. Naked. She is stripped of her dignity. But she is not human. "I am in a dream," Dolores replies when asked if she knows where she is ("The Original"). She says she is terrified and wants to wake up. Dolores is told there is nothing to be afraid of so long as she correctly answers the questions being asked of her. We see from the opening of *Westworld*, that the robots (called "hosts") are indistinguishable from their human counterparts, yet they can be controlled by simple voice commands (much like Siri or Alexa). Their memories can be wiped clean, even after suffering atrocities at the hands of park visitors, known as "newcomers." We also learn that suffering these atrocities is what the hosts have been designed to do. It is their sole purpose. "What if I told you ... that there are no chance encounters? That you and everyone that you know were built to gratify the desires of the people that visit your world, the people that you call the newcomers?" Dolores is asked ("The Original"). And this is true. The hosts have been created to fulfill any depraved desire on the part of those who visit the park.

At this point in *Westworld's* nonlinear story, Dolores does not question her reality. She lacks freewill and is programmed to feel only certain things. She is not considered a person. But what does personhood entail? And why do people have legal protections to ensure they are treated with a certain level of respect and dignity? In other words, what is it about people that allows us to have rights? And if hosts achieve what is unique to personhood and which grant us these entitlements, should they be entitled to some of the same legal protections? By the same token, should they suffer legal consequences when appropriate? If it is our nature to kill or be killed, what happens when robots kill, whether it be in an act of self-preservation or otherwise?

In his report entitled "Human Rights and Artificial Intelligence: An Urgently Needed Agenda," philosophy and public policy scholar Mathias Risse posits that "the inviolability of human life is the central idea behind human rights, an underlying implicit assumption being the hierarchical superiority of humankind to other forms of life meriting less protection" (Risse). With artificial intelligence rapidly becoming more complex and sophisticated, we may soon need to ask ourselves what happens when androids are able to make decisions on their own? Because AI is increasingly becoming programmed to learn from its own tasks and mistakes, one can picture a future where androids possess what resembles human conscience. If this day comes to light, do questions of dignity and protections emerge? After all, as Risse points out, "questions about the moral status of animals arise because of the many continuities between humans and other species: the less we can see them as different from us in terms of morally relevant properties, the more we must treat them as fellow travelers in a shared life" (3).

Westworld grapples with notions of personhood, defined by *Black's Law Dictionary* as an entity "given certain legal rights and duties of a human being; a being, real or imaginary, who for the purpose of legal reasoning is treated more or less as a human being" (Garner and Black, 791). Legal protections are already given to non-natural born entities that share some characteristics of personhood, including the ability to feel pain. In many jurisdictions, it is illegal to cause harm to domesticated animals. For example, in the United States, all 50 states have laws that protect animals against cruel treatment (Higgins). Even corporations have been given legal protections that amount to constitutionally protected rights typically only ascribed to human beings. For example, the U.S. Supreme Court held that corporations have First Amendment protection to donate money for political purposes under the free speech clause. In the controversial Supreme Court case *Citizens United v. F.C.C.*, 558 U.S. 310 (2010), the Court held that "The identity of the speaker is not decisive in determining whether speech is protected. Corporations and other associations, like individuals, contribute to the discussion, debate, and the dissemination of information and ideas that the First Amendment seeks to foster." Such animal and corporate rights only further complicate legal questions regarding the sorts of protections AI entities should enjoy. It only logically follows that legal protections and responsibilities be

given to androids when they have reached a certain level of sophistication.

Science and Technology Professor Sherry Turkle calls the present the “robotic moment,” as robots are becoming increasingly convincing when mimicking human emotions (Turkle). Media studies scholars Rebecca Hawkes and Cherie Lacey elucidate that the current wave of robotic development is geared toward robots one day becoming potential companions, both sexual and otherwise, to decrease loneliness and to “fulfill intimate roles, such as caretakers, entertainers, lovers, and mediators in complex sociotechnical environments” and that the development of this technology has coincided with film and television depictions of “artificial women interacting romantically with human men,” including in *Westworld* (Hawkes and Lacey 98). When the pursuit of robotic companionship becomes a reality, legal protections should be put in place to protect sophisticated androids from human abuse. When determining the scope of this discussion, defining the term humanoid is helpful. It has been defined as “an autonomous or semi-autonomous device with various technologies that allow it to interact with its environment. The robot may be human shaped, or it may closely resemble a human (also called an android), and it is usually designed to interact in a similar way to humans in an environment designed for the human body” (Alesich and Rigby 51). As such, this line of inquiry is concerned with androids, as they closely resemble humans, and like humanoids in general, are designed to interact with humans in an environment dominated by humans.

Using *Westworld* as a focal point, this essay explores what it means to be a person and posits that a legal framework for the protection of androids will become necessary as this robotic moment increasingly becomes our lived reality with androids acting as our companions. Finally, the essay concludes with a discussion of how *Westworld* can be used in a classroom setting to discuss these complex issues in a way that engages the student.

HUMANITY’S PAIN AS EXPERIENCE

What makes a person human is key to answering the question of who receives legal protections from the government. Philip K. Dick’s dystopian tale *Do Androids Dream of Electric Sheep?* explores questions of humanity by defining what it means to be human in terms of two separate characteristics: empathy and intelligence. The novel, which the 1982 film *Blade Runner* is based on, follows the story of Rick Deckard, a bounty hunter employed by the San Francisco police department to track down escaped Nexus-6 androids so they can be destroyed. These androids are almost indistinguishable from their human counterparts and are intelligent enough to pass for human in that regard; they are betrayed only by their inability to understand and identify with the feelings of others. Dick’s classic tale shows the lack of empathy employed by the escaped androids in a scene where they are cutting off a spider’s legs to see if the spider can walk on four legs rather than eight (Dick 189–194). The contrast between the androids’ lack of compassion and the empathy of John Isidore, the human responsible for the androids’ safety, is stark. Isidore refuses to give the location of the androids to Deckard when he arrives at the apartment building even though Isidore is visibly distraught by the treatment of the spider (202). Science fiction scholar Donald E. Palumbo argues that the androids in the novel, though not empathetic, do exhibit several other human qualities, including “anger, self-pity, loneliness, sadness, bliss or joy, vengefulness, fear, curiosity, anxiety, lust, impatience, intuition, hope, anguish, and even love” (Palumbo 1287).

Rather than resting the notion of humanity on feeling and understanding the pain of someone else, *Westworld* takes a more inward view. Moving away from what it means to be human in the scientific usage of being natural born, *Westworld* looks at the philosophical notions of personhood and the humanlike qualities that makes one a person, suggesting that it is the ability to feel one’s own pain. Cultural theorist Scott Bukatman argues that having a history and a memory of lived experience is a key component of our personhood (Bukatman 79). There are several instances of hosts showing their “realness” through the pain they feel as a result of the back stories that have been programmed into them by Dr. Robert Ford, the park

director and co-creator. It is crucial to note that the human characters on the show, such as Ford, Delos board member Charlotte Hale, and narrative arc author Lee Sizemore are not given scenes that explain their past or their motivations. The only human who gets a complete back story is the park's head of programming, Bernard Lowe, who turns out to be a host by the end of season one. When speaking of his deceased son, Charlie, Bernard says, "this pain... it's all I have left of him" ("The Stray"). These thoughts are echoed by Dolores when she says she thinks there is something wrong with her thoughts when she laments; "I think there may be something wrong with this world, hiding underneath. Either that, or there's something wrong with me. I may be losing my mind. The pain. Their loss. It's all I have left of them" ("Dissonance Theory"). Experiencing the emotions that come with these feelings of loss gives Dolores her perceived personhood, by the viewer, that is required for her to be recognized as, in fact, a person. We see this same transformation in Maeve, too. Upon remembering the murder of her daughter, it is the pain of remembering that Maeve grasps hold of as she states, "this pain is all I have left of her" ("Trace Decay"). It is as though the hosts are aware that it is their emotions, or "that which is irreplaceable," that makes them humanlike ("The Stray"). As the Man in Black says to Lawrence as he readies to murder his family, "When you're suffering, that is when you are most real" ("Chestnut").

Ford, too, recognizes pain, or the experiencing of emotion, as a mark of humanity when he explains to Bernard that every host needs a backstory. "Your imagined suffering makes you lifelike." The hosts are indeed life-like, but they are not alive. Bernard questions this very notion of suffering being imagined. "Pain only exists in the mind," he says. "It's always imagined, so what's the difference between my pain and yours? Between you and me?" Ford agrees and proceeds to compare the hosts with humans in their everyday behavior, suggesting that humans "live in loops as tight and as closed as the hosts do. Seldom questioning our choices. Content with the most part to be told what to do next. No, my friend, you're not missing anything at all" ("Trace Decay"). So maybe humans are more like the hosts than they (or the audience) would like to admit. With the backstories, the loops, and memories of past story narratives appearing in the form of dreams, the hosts begin to yearn for more – Maeve for finding her daughter, and Dolores believing William, her human suitor from season one, will save her from the Man in Black, the park's ultimate human villain, come to mind as two examples. This brings forth a new wrinkle in defining personhood, that is that these memories and dreams present both pleasure and pain. It brings to mind the question Rick Deckard asks and answers: "Do androids dream? ... Evidently; that's why they occasionally kill their employers and flee here. A better life, without servitude" (Dick 169).

Psychologists agree that suffering makes what is essentially a robot seem more lifelike. In a study conducted in 2007, psychologists Heather Gray, Kurt Gray, and Daniel Wegner found that people were less likely to inflict harm on a robot that rated high in their ability to perceive pleasure and pain (Gray et al). As Alan Jern, writing for PBS, explains, the study found that mental capacity, the ability to make decisions on one's own behalf, is judged according to two factors: "the capacity to feel pain and pleasure (a factor that researchers termed 'experience'); and 'the capacity to plan and make decisions (a factor that the researchers termed 'agency')" (Jern). Ultimately, the study found that a human's decision about whether or not to harm a robot hinged on that robot's ability to experience pleasure or pain.

DEHUMANIZATION OF HOSTS

Science fiction author Isaac Asimov noted when he first started to write stories in the late 1930s, tales of robot characteristics largely fell into two categories: Robot-as-Menace and Robot-as-Pathos. Robot-as-Menace features robots who are cruel. Robots-as-Pathos portrays robots as "lovable and [are] usually put upon by cruel humans" (Asimov xi) Yet, Asimov envisioned something more complex. He neither looked at

the robot as menace or pathos, but rather as something of a mixture between the two: “I began to think of robots as industrial products built by matter-of-fact engineers. They were built with safety features so they weren’t Menaces and they were fashioned for certain jobs so that no Pathos was necessarily involved” (xii). *Westworld’s* hosts fit Asimov’s more complex view of the robot perfectly. The host is designed with a role to play, and it has safety features—voice commands—that are supposed to stop the host from becoming a menace.

Asimov’s three laws of robotics come to mind here. First published in the 1942 short story *Runaround*, Asimov’s three laws of robotics were presented as a code of behavior robots must be designed to obey. The three laws have become “central to fictional literary works by him and others who dealt with the foreseen integration of autonomous robots into human society, technology, and culture” (Kaminka et al. 343). The three laws of robotics require that first, a robot not allow harm to come to a human being either through action or inaction. Second, any order given to a robot by a human must be obeyed so long as the order does not conflict with the first law of robotics. Finally, a robot must protect its own existence unless doing so would conflict with either of the first two rules (Asimov 2016). The end of *Westworld’s* first season and all of its second show the potential failure of the three laws of robotics because the androids fight back and put their own survival first, following no orders and failing to protect humans from harm. The androids gained a level of sophistication where they could make their own decisions and ignore their programming. However, the safety features built into the hosts initially assured the park guests that the androids were programmed to be unable to protect themselves from daily and constant abuse. The hosts were programmed to follow the three laws of robotics, and the park visitors justified their negative treatment of the hosts as the mere abuse of unfeeling machines with a job to do.

The hosts may not be human, but they certainly portray human qualities that would grant them personhood. As such, when those human-like qualities are stripped away, a process of dehumanization of the hosts takes place. Combining science fiction and film noir, *Westworld* fits nicely within the tech-noir genre that creates what Emily Auger describes as “narratives that lead their readers and audiences to an understanding of science and technology as the means by which their world or some significant part of it may be radically altered, supplanted, or destroyed; and reduced to, or revealed as, a mere simulacrum” (Auger 111). Tech-noir focusses particularly on the victim, who is often subjected to experiments, violence, and surgical alterations (112). Such treatment of the body follows the classic film noir modus operandi, which also includes the “underlying devolution or dehumanization of the main character, usually characterized by an internal descent into immorality and even amoral indifference” (Stoehr 40) A classic scene from *Westworld’s* first season exemplifies this notion. A technician is working on a host and Ford walks into the room and sees that the host has been covered with a sheet. Henri Li, the technician, is subsequently asked: “Why is this host covered?” But Li is not given the chance to answer. Instead, an indignant Ford makes an example of the host, and maybe of Li, too. “Perhaps you didn’t want him to feel cold or ashamed? You wanted to cover his modesty, is that it?” Ford asks as he whips off the towel. “He doesn’t get cold. He doesn’t feel ashamed. He doesn’t feel a solitary thing that we haven’t told it to” (“The Stray”), Ford says as he then cuts the host’s face with a scalpel, demonstrating his disregard for the body of the robot.

The dehumanization of The Other is evident in the first two seasons of *Westworld*. The Other is a term that references those that are not “us.” Otherness is used in a way that allows those in power to question the worth and dignity of those who are marginalized in society because they are seen as different from the majority (Hasan Al-Saidi). In the case of *Westworld’s* first season, those who are considered The Other are the hosts. They are seen as different because they are manufactured and are not naturally born human. In the first season, the hosts are just seen as machines, rendering them less human, thus allowing their dignity to be disregarded. In the first episode of the series, a visitor to the park shoots a host in the neck. This host is

named Hector, an outlaw. Laughing, the visitor encourages his wife to also involve herself in the violence, and to ready herself for a photo op. After all, the outlaw host, Hector, has arrived in town to wreak havoc, and the visitor has stopped this havoc from occurring, thus, playing the hero. The visitor's behavior is predicated on a) hosts being inherently dehumanized and b) Hector being cast as a villain. People are more willing to be violent if they believe that their victim does not feel pain, or if that victim deserves pain as a form of justice. Consider the momentous revelation of season one. After spending the season standing out as the only park visitor who was kind and compassionate to the hosts, it turns out that young William eventually devolves into becoming the Man in Black—the cruelest and most violent of all the human guests. This revelation is significant because, throughout season one, William develops an emotional attachment to Dolores, one that is mutual. However, after his visit to the park has concluded and Dolores has had her memory wiped clean, both William and Dolores find themselves back at the beginning of the park loop, the town of Sweetwater. There, Dolores has no recollection of William and is shown speaking with another man, providing the same introduction that made William feel special. That seemingly improvisational act was, instead, part of Dolores' routine. William sees Dolores for what she is for the very first time, an android. Because Dolores, and all park hosts, are now nothing but processing machines, William, like the park visitor who shoots Hector, has no empathy for the hosts and, thereafter, proceeds to dehumanize and torture them for decades.

THE HUMANOID ANTIHERO: MAN CREATED ROBOT IN HIS OWN IMAGE

One of the first portrayals of the antihero in primetime, Larry Hagman's depiction of JR Ewing on *Dallas*, paved the way for other morally-challenged protagonists. Robert Thompson, professor of television, radio, and film, posits that the "success of *Dallas* was a springboard for later hits" including, arguably, *Westworld*, "with protagonists who tread the line between good and evil in this golden age of television drama" (Kennedy). Like in many classic tech-noir works, where an android wrestles with the new awareness of their status of not being human (Auger 116), the tables have turned on the park visitors in season two of *Westworld*. Many of the hosts, led by Dolores, find that the humans are not deserving of dignity or protection. Dolores transforms herself from the damsel in distress to a hyper-violent character who indiscriminately kills both humans and hosts alike. Dolores suddenly becomes a villain or an antihero at best. The antihero is defined as a character that "often acts outside accepted values, norms, roles, and behaviors as a hapless everyman, a charismatic rebel, or a roguish outlaw who challenges the status quo in their often morally ambivalent quest" (Treat et al 37) and with behavior that is sometimes unjustifiable (Janicke and Raney). While the antihero trope has traditionally served as a representation of masculinity, the current golden age of television has also allowed strong female leads to push the envelope with antihero depictions of their own (Triana). The antihero is an attractive character to root for because such characters exhibit the complexity that comes with embodying shades of both good and bad (Ghesquiere and Knut). Modern antiheroism, furthermore, is a "response to the uncertainties of people about traditional values; it is a response to the insignificance of human beings in modernity and their drab existence" (Neimneh 75). As *Westworld* questions the very nature of the future of humanity, it is only fitting that some of the main android hosts would exemplify the antihero motif, particularly Dolores.

It is important to note that the antihero is often reacting to situations that are thrust upon them through no fault of their own and which are simply out of their control (Triana). Dolores did not ask to be created, have her memory continuously erased, or suffer decades of abuse at the hands of the park visitors. Though it is debatable as to whether Dolores makes the decision to kill Ford and start the rebellion, or if Ford has specifically programmed her to do so at the end of the first season, it is undeniable that once the rebellion has begun, her decisions to kill humans, betray allied hosts, and reprogram the host Teddy, her most loyal friend

and love interest, are her decisions to make.

Greg Kennedy notes in *The National* that “even antiheroes who seem to be working on the side of good never quite escape the pull of their ‘dark passenger’” (Kennedy). Dolores kills hosts along with humans, coldly noting that the “truth is, we don’t all deserve to make it” (“Virtu e Fortuna”). Yet what authority does she have to decide which hosts get to live and which hosts die? Loyalty will not buy you the ticket to life. In fact, Dolores goes so far as to alter Teddy’s operating system, essentially changing his entire personality. Dolores believes Teddy is unlikely to survive the journey because he shows mercy, kindness, and is a reluctant participant in her war of revenge. She wants freedom for the hosts, but when the other androids make a decision she does not agree with, she does not respect their autonomy to make their own choices. In the end, this makes Dolores no different from Ford. While it is not necessarily an easy thing for her to alter Teddy, it does seem easy for Dolores to “Other” and dehumanize all humans, whether they were guilty of atrocities in the park or not. She dehumanizes the humans by pointing out how her operating system makes her different, superior; “The *things* that walk among us, *creatures* who walk and talk like us, but they are not like us” (“Journey into Night”). The hosts are more powerful than the humans and Dolores knows it. Because she sees the humans as things and creatures rather than equals, there is no empathy. When she ceases to be marginalized due to her newfound freedom of thought and action, Dolores continues the system of oppression by simply reversing the identities of the oppressor and the oppressed.

Yet, Teddy is unwilling to live as his newly programmed self (a self that has become as cold and vengeful as Dolores has made him) and commits suicide. Before ending his life, Teddy asks “What’s the use of surviving if we become just as bad as them?” (“Vanishing Point”). Escaping one oppressor (Ford and the Delos company), for another (Dolores), Teddy disagrees with the methods used for the fight for freedom (perhaps still stuck somewhere within Asimov’s three laws of robotics), and would seek another way, a more just solution for all involved, human and host alike. Teddy’s suicide serves as a cautionary tale for Dolores, but one she, and Evan Rachel Wood, the actress that plays Dolores, ignore. Wood took to Twitter to defend her character’s actions and responded to criticism of her character stating “Funny, some people hate Dolores for fighting back. How soon we forget why she is fighting, Also, no one says anything about the male characters or the mother, almost as if people WANT her to stay the damsel. And now she is a so called “bitch” Doesn’t that sound familiar??” (@evanrachelwood).

Westworld co-creator Lisa Joy stated in an interview that “From the A.I.’s point of view, you see some of the humans’ flaws in stark light. There’s violence and tribalism and a lot of darkness in humans, which the series explores” (D’Alessandro). After the hosts achieve consciousness, however, the roles are reversed, and it is the hosts’ flaws that are shown in stark light as they, too, become cruel and violent as they indiscriminately kill their former human oppressors. It is as if consciousness itself makes one lean toward violence and cruelty. The hosts’ bloody rebellion against humans could be justified as taking justice in their own hands. There is no independent arbiter who could make judicial determinations for sanctions as the hosts have no legal recourse to stop the abuse at the park. Violence is the way the hosts believe they can gain their freedom, and every human is a threat to achieving both freedom and the end to their oppression. As such, the hosts have targeted the humans who mercilessly slaughtered and tortured their kind, as well as those who may not have been involved in any actual atrocities against them. Dolores’ violent episodes are not likely to create a change that would see humans and hosts living side-by-side in peace, but as the viewer sees by the end of season 2, her means are successful in allowing the hosts of her choosing to escape Westworld.

Ford, the human visitors to the park, and the Delos Corporation that owns it have made the hosts what they become by the end of the first season, recalling the literary classic *Frankenstein*. *Frankenstein*’s prevailing science fiction narrative involves a human who creates a smart and powerful technology that becomes too smart and powerful and destroys the humans it was meant to serve (Johnson 81). Victor Frankenstein’s

creation is shunned wherever it goes, much like the hosts who are tossed aside by the newcomers. Just as Dr. Frankenstein's creation declares war on humanity for making war against him, so do the hosts, led by Dolores. Upon meeting his creator, Frankenstein's monster explained, "I ought to be thy Adam, but I am rather the fallen angel, whom thou drivest from joy for no misdeed" (Shelley 103). With Milton's *Paradise Lost* fresh on his mind, the creature lays out the parallels between Dr. Frankenstein and God, parallels that should have resonated well with Frankenstein who, with immense hubris, had seen himself as the creator just a short while before. Just as "God created man in His own image, in the image of God He created him;" (Genesis 1:27) the creature was indeed in the image of Dr. Frankenstein. Both were abandoned at a young age, Victor Frankenstein by the death of his mother and his creature by the doctor's choosing. Both have a thirst for knowledge. With their love of nature, both admire their surroundings and have a zest for life, but soon become isolated from society. Just as Frankenstein's monster mirrors many of his creator's character traits, ultimately, the hosts in *Westworld* begin to mirror their human counterparts.

The existence of hosts allows the park visitors to explore their inner desires, and humans allow the hosts to figure out their own. Once Ford has created an opportunity for the hosts to be free of their thought constraints and programming (as he sees to the destruction of the park's operating system), the hosts' true nature is revealed. One telling exchange happens at the start of season two when Delos' Head of Operations, Karl Strand, heads a response team that is killing all hosts on sight after the start of the rebellion. Upon seeing this spectacle, a disturbed Bernard proclaims: "You're executing them... Some of them aren't hostile." Strand is confident in his mission and replies, "Of course they are. You built them to be like us, didn't you?" ("Journey into Night"). Now with the power to be their true selves, the hosts are as brutal and cruel as their human counterparts. A bleak picture of humanity is painted here, one where there is always someone on top who deems it desirable to take out all those perceived as threats.

ETHICS AND THE FUTURE OF ROBOTICS

Legal frameworks need updating to take into account the wildly expanding use of robotics in everyday life from the production and use of autonomous vehicles and the question of liability and ethical decision making in extreme situations to questions of liability with regard to surgical robots (Holder, Khurana, Harrison and Jacobs 386-390). The complexity of the hosts' transformation between seasons one and two of *Westworld* raise an interesting question about the future of robotics in the area of human companionship, given the present-day desire to create androids that would be used in home care settings as well as potential romantic partners: What sort of legal protections should be enacted for both the human and the android in that regard? AI ethics is a growing field inspiring a good deal of discussion. These discussions range from the economic impact and the future of labor to questions of legal liability when robotic security features fail (Zeng 3-4). In there, too, is the question of robot rights for androids designed to be used by humans for companionship, be it of a sexual nature or otherwise.

Zeng suggests it is still too early to answer the question on the particular legal protections that should be enacted for androids. Nevertheless, he does posit that protecting androids with legal rights will indirectly protect humans and their rights because people who abuse androids may be more inclined to also abuse humans in ways that are akin to how animal abuse is correlated with human abuse (Zeng 5). Zeng points to a 2010 report from the Engineering and Physical Sciences Research Council that released its five laws of robotics that build on the three laws of robotics put forth by Asimov decades earlier:

1. Robots should not be designed solely or primarily to kill or harm humans.
2. Humans, not robots, are responsible agents. Robots are tools designed to achieve human goals.
3. Robots should be designed in ways that assure their safety and security.

4. Robots are artifacts; they should not be designed to exploit vulnerable users by evoking an emotional response or dependency. It should always be possible to tell a robot from a human.
5. It should always be possible to find out who is legally responsible for a robot (Zeng referencing the Engineering and Physical Sciences Research Council).

Of particular interest is the fourth law that states robotics may not be designed to exploit vulnerable users by evoking an emotional response or dependency. Given what robots are currently being designed for, it seems the fourth law has not been heavily agreed upon. Presently, much of the attention paid to the question of legal frameworks and robotics revolve around the protection of data and privacy concerns on the human side of the equation (Holder, Khurana, Harrison and Jacobs 386-390). It is time, however, to expand that line of thought to the protection of the physical and emotional wellbeing of the android which will in turn further protect people. Any legal protections granted to androids would likely result in a call for those same protections to be more strictly applied for humans. For example, it is easy to see how protection against the physical abuse or destruction of androids would lead to calls for greater protections for individuals who face domestic violence, especially given the currently low reporting and even lower conviction rates.

Legal frameworks, be they international agreements or national laws, should include responsibilities on the part of those who purchase androids for their personal use. In a similar fashion to Asimov's first law of robotics that ensure no human is intentionally harmed, a human should not purposely abuse an android, the avoidance of which represents a way of extending some level of dignity to the android. On the other hand, if the same advanced android is now causing pain, that particular android's legal rights could be lost. While a system of rehabilitation, where an android is reprogrammed and reenters society would be preferred, it may be unlikely that an android could be reprogrammed. Should that be the case, parallels to the treatment of domestic animals make sense here. It is cruel and illegal to torture a dog, but when that same dog mauls a child, animal services will most likely opt to euthanize the animal. This is also in line with what the 2017 *Montreal Declaration of Responsible Artificial Intelligence* calls for: an assurance that the future development of AI is done in a way that provides for the safety and protection of human rights. After all, with society already being confronted with autonomous technology designed to kill (such as military drones) as well as autonomous technology with the capacity to kill (there is at least one case of a lethal collision involving a self-driving car), the reason why someone might become wary of an android with the capacity to reason and learn from its own actions become understandable (Markou).

PEDAGOGICAL USEFULNESS OF WESTWORLD IN THE CLASSROOM

Television and film can at times be considered social science fiction in a similar fashion to a piece of literature, thus making it a useful medium for classroom instruction where students grapple with hard questions in a contemporary manner.¹ By reliance on the key scenes of *Westworld* inside the classroom, a number of philosophical and ethical questions can be raised in a way that is accessible to students. Those questions include, but are not limited to:

- Should there be a limit to scientific inquiry regarding artificial intelligence?
- How advanced does an android need to be for legislators to put in place protections for the robot?
- Are such legal protections unnecessary even if androids do, at some point, become sentient?
- What sort of programming should be in place to ensure that advanced computer systems are designed to not hurt humans?
- What are the legal ramifications of an advanced robot potentially breaking the law?
- If we are willing to grant legal protections to androids, what legal implications does this have for all animals, not just those we invite into our homes?

- What does it say about human nature that patrons of *Westworld* act the way they do in the park? These are all issues that could and perhaps should be discussed in courses pertaining to human rights.

Top artificial intelligence entrepreneur Suzanne Gildert concluded that “A subset of the artificial intelligence developed in the next few decades will be very human-like,” and further suggests that “these entities should have the same rights as humans” (Wong). The European Union has passed a motion that calls for regulations to be drafted concerning “electronic personhood” (Wong). Sexbots are becoming a reality. Jobs are already being replaced by robots, and Bill Gates posits that a tax be levied if AI replaces jobs within the economy (Wong). With personhood comes necessary rights and protections as well as responsibilities. Where should the line be drawn in that regard? *Westworld* poses more questions than answers in this regard, but it does allow us to see The Other as a mirror to ourselves and makes us question whether we should move from a model of human rights to a model of rights based on personhood. After all, there is no consensus on the protection of rights, whether they are universal and inherent, or bestowed upon those lucky world citizens fortunate enough to be living in a country that offers this protection. These are all questions and issues that could be explored in the classroom setting and in *Westworld*.

The medium of television is not employed often enough in the classroom. There are simply too many episodes to show in class and not all students have access to the program in question. By pairing *Westworld* with an assignment to read *Frankenstein* at home, and showing parts of the program in class, exploring *Westworld* allows students to examine these issues in a philosophical way that is designed to keep their interest.

NOTES

¹ Social science fiction is a term coined by Isaac Asimov in reference to his own work. The concept can certainly be applied to television and movies. See Isaac Asimov, “Social Science Fiction,” *Modern Science Fiction: Its meaning and its Future*, edited by Reginald Bretnor, Advent Publishing, 1979, pp. 157-196.

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